

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p>THE UNITED STATES</p> <p><i>vs.</i></p> <p>CLAUDE AARON PARKS</p>	<p><i>For U. S.:</i></p> <p>Ben F. Baker Asst. U.S. Atty.</p> <p><i>For Defendant:</i></p> <p>Robt. M. Butler, appt. 5046-N. Peoria, Tulsa</p> <p>Kenneth L. Stainer (Appt) Elmore Page (Retained) 500 W. 7th Street <i>584-4168</i></p>

deft's address: P.O. Box No. 1,000
Steilacoom, Wash. 98388

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed <i>9-30-71</i>	Clerk				
J.S. 3 mailed <i>11-30-71</i>	Marshal				
Violation Dyer Act	Docket fee				
Title 18					
Sec. 2312					

DATE	PROCEEDINGS
9-10-71	Indictment, filed and in open court. m
9-10-71	Record vote of the grand jury, filed in open court. m
9-10-71	Appearance bond in the amt. of \$2,500.00, filed. Surety, Imperial Ins. Co., by Richard Thompson. m
9-10-71	Order specifying methods and conditions of release, filed. m
9-13-71	Warrant issued for deft. at request of U.S. Atty. m Bond set at \$10,000
9-16-71	Petition for writ of habeas corpus ad prosequendum, filed. g
9-22-71	Deft. present and represented. Reading of indictment waived. Deft. requests that Mr. Butler be released as his atty. & request granted. Ct. orders deft. to hire his own atty. or present pauper's affidavit to have another atty. appointed. Deft. arraigned & enters a plea of NOT GUILTY. Deft. given 10 days to file motions. Govt. requests a new bond set in the amt. of \$10,000 & it is so ordered. Mr. Ed Goodwin, atty. for bonding company, makes appearance & requests to be exonerated from original bond of \$2,500 & it is so ordered. Court allows expense of U.S. Marshal to Calif. to be divided & Mr. Goodwin to pay \$150 & the remaining to be paid by USM. Court denies deft's request for library books & grants deft's request for transcript of preliminary hearing before U.S. Magistrate. Order to be prepared on exonerated of bond. Case to be set for jury trial. (LB-J)m over

DATE	PROCEEDINGS
9-27-71 9-29-71	Order granting writ of habeas corpus ad prosequendum, filed. (AEB-J) ds Deft's motion to dismiss charge, for denial of fair & speedy trial, filed. m
9-29-71	Case set for Jury Trial on Tuesday ^{WEDNESDAY} , Oct. 20, 1971 at 10:00am (AEB-J)h
10-5-71	Petition for writ of Habeas Corpus Ad Prosequendum of Plaintiff, filed. v
10-5-71	Writ of Habeas Corpus Ad Prosequendum issued as of this date. v
10-12-71	Application for subpoena of witnesses, filed. m
10-12-71	Motion for change of venue, filed. m
10-12-71	It is ordered by the Court that hearing on pending motions shall be conducted by Magistrate Bradford. (AEB-J) v
10-12-71	Hearing on motion held. Deft. Claude Aaron Parks present and not represented. The govt. represented by Nathan Graham. It is recommended by Mag. Bradford that Kenneth Stainer be appointed Deft.'s Counsel. Deft.'s Motion to dismiss be passed until Oct. 20, 1971. (MLB-USM)v
10-12-71	Order granting writ of Habeas Corpus Ad Prosequendum, filed. (AEB-J)v
10-13-71	Deft's Motion for Continuance, filed. r
10-13-71	Deft's Brief, filed. r
10-13-71	Deft's Motion for determination of Mental competency, filed. r
10-14-71	Hearing on motions held. Deft. Claude Aaron Parks present and represented by Kenneth Stainer. The Govt. was represented by Ben F. Baker. Deft. withdrew the following motions:
	<ol style="list-style-type: none"> 1. Deft.'s Motion to Dismiss Charge, for denial of fair & speedy trial. 2. Dft.'s Motion for Continuance. 3. Deft.'s Motion for determination of mental competency.
	Deft.'s Application to Subpoena Witnesses is sustained. (MLB-USM)v
10-15-71	Application to subpoena witnesses and order authorizing issuance of subpoenas, filed. (AEB-J) ds (Witness: Suzanne Martha Mitchell)
10-20-71	It is ordered by the Court that this case is transferred to Judge Fred Daugherty for further proceedings. (AEB-J)m
10-20-71	Case called for jury trial. Deft. present and represented. Waiver of jury signed, approved & filed in open court & case stricken from this jury docket, to be set for non-jury trial at a later date. (FD-J)m
11-2-71	Writ of H/C ad Prosequendum, ret. & filed as to Claude Aaron Parks; deft. brought from Los Angeles County Jail to Tulsa, Okla. 9-20-71, and returned to Sheriff of Los Angeles, Cal.. 10-3-71. g
11-8-71	Application of Court-Appointed Attorney to be relieved of his duties to represent defendant, Claude Aaron Parks, filed. v
11-8-71	Pauper's affidavit for transcript of preliminary hearing, filed. m
11-10-71	Ordered by the Court that deft's request for transcript of preliminary hearings without prepayment of fees is denied. (LB-J)m (letter written deft.)
11-11-71	Order filed that Kenneth L. Stainer, ct. appt. atty for def. is relieved of his duties as such ct. appt. atty. (AEB-J)h
11-12-71	Case set for non-jury trial 11-29-71 at 10:00 a.m. (AEB-J)m
11-16-71	Order on motions, filed. ds. Defendant withdraws prior to hearing his motion to dismiss, motion for continuance, and his motion to determine mental competency. Defendant's application to subpoena defense witnesses for trial is granted upon defendant's statement that his only witness is Suzanne Mitchell. Olympia, Wash. (AEB-J) ds
11-18,71	Case transferred from Judge Barrow to Judge Daugherty, for Jury Trial on Monday, November 29, 1971 at 9:30 A.M. (AEB-J)r
11-18-71	Subpoenae (4) ret. & filed. g

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-24-71	Order that appearance bond in sum of \$2,500.00 is exonerated upon payment to U.S. Marshal of \$150.00 for travel expense in returning deft. from Calif. to jurisdiction of this court, and that bond is fixed in sum of \$10,000.00, filed. (LB-J)m (copies mailed)	
11-29-71	Letter dated 11-23-71 to AEB from Claude Aaron Parks, requesting to retract defts Waiver of Jury, also that this case be heard before Judge Barrow. Filed. r	
11-29-71	Ent case comes on for jury trial. Dft. appears in person and by cnsl. Govt announces ready and dft's cnsl makes statemt. to Ct. re wishes of dft. Dft presents letter, request. cont. and states he wishes to discharge atty. Both requests denied. Dft to proceed pro se with assist. of cnsl. Dft moves to waive jury, there being no obj. by govt., motion granted after signing of waiver of jury form. Dft again moves for cont.; denied. <u>ENT NON JURY TRIAL</u> Plf makes open. stmt., dft defers same until close of plf's case. Plf presents case in chief w/test of witnesses. Dft moves to suppress evidence presented by wtms. Taylor; overruled. Plf rests. Dft's mtn for dismissal denied. Dft waives opening statement. Dft having no evidence to produce, parties rest. Dft renews mtn to dismiss; overruled. Closing arguments presented and Court dictates findings into record. Court finds dft guilty as chrgd. Dft and cnsl are asked if they have anything to say before sentence is pronounced and nothing to the contrary, <u>DEFT SENTENCED</u> to custody of A.G. for a period of four (4) years on the one count of the indict. Dft advised of his right to appeal and Clerk is directed to spread of record, deft's Notice of Appeal. Court directs dft to file new poverty affidavit in order to appeal in forma pauperis. Dft remand. to custody of U.S. Marshal (Daugherty) ve	
11-29-71	Filed letter dated 11-28-71 from dft to Court re continuance. ve	
11-29-71	Filed Waiver of Jury, approved by cnsl and Judge Daugherty. ve	
11-29-71	Judgment and Commitment, filed and entered. (FD-J)r	
11-29-71	Two c.c. to U. S. Marshal's Office. r	
12-1-71	Notice of appeal, filed. g (cpy to USCA & counsel)	
12-9-71	Returns on subpoena to testify, filed. Served Verlon Tribble, Mr Claude Williams, Mrs Mitchell and Officer Dean Taylor. ds	
12-15-71	Affidavit to proceed with appeal in forma pauperis, filed. g	
12-17-71	Order granting leave to proceed with appeal in forma pauperis, filed. (FD-J)g	
12-20-71	Order for transcript of trial proceedings at govt. expense, filed. (FD-J)g cpy to Lee Cook, Reporter.	
12-28-71	Application of Elmore A. Page to withdraw as attorney for deft., filed. m	
12-30-71	Defts' Application for a Writ of Mandamus, filed. r	
1-3-72	Deft's Application for Transcripts - Trial & Preliminary, filed. r	
1-5-72	Transcript of trial proceedings on 11-29-71, filed. (orig. + 2 cpies.)	
1-5-72	Order filed, finding that appl for Transcripts have already been granted, also deft has been granted an Appeal in Forma Pauperis, filed. (FD-J)r (Copies mailed to attys)	
1-7-72	Return on warrant for arrest of defendant, filed. Return unexecuted J&C issued 11-29-71. Warrent superceded by this warrant. ds	
1-7-72	Appeal record (2 vols.) orig. 3 cpies sent to USCA. g	
1-10-72	Order denying the Application for Writ of Mandamus, filed. (FD-J)r	
1-10-72	Order denying the Application of Elmore A. Page to withdraw from this case, filed. (FD-J)r	

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-16-72	Mandate & Opinion of USCA, affirming judgment of 11-29-71, filed and spread of record. g	
10-26-72	Appeal record, in two volumes, received from U.S.C.A. rm	
11-22-72	Deft's Notice of Motion and Motion to Modify and/or Reduce Sentence, filed. r <i>Mailed copy to judge</i>	
11-24-72	Order filed, denying Deft's Motion to Modify and or/reduce sentence, filed. (FD-J)r (Copies mailed to deft, U.S. Atty, Deft's Atty & Probation office.	
4-1-74	Petition of deft. for writ of certificate of services of probable cause, wherein petitioner moves for leave to prosecute his action in forma pauperis, filed. <i>to F.D.</i>	
4-26-74	Order, filed and entered, denying petitioner's above motion and granting leave to file f.p. (FD-J)rm - copy to petitioner	
6-19-74	MO: Ordered by the Court that petitioner is granted leave to file his notice of appeal out of time by reason of his confinement. (FD-J)rm	
6-19-74	Notice of appeal filed, w/affidavit attached. rm <i>file 6/19</i>	
7-1-74	Order, filed and entered, denying petitioners req. to appeal in f.p. (FD-J)rm - copies mailed	